

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF DRINKING WATER  
SEPTEMBER 15, 2020**

**ITEM 8**

**SUBJECT**

CONSIDERATION OF A PROPOSED RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING (MOU) FOR THIRD-PARTY LABORATORY ASSESSORS AND DELEGATE AUTHORITY TO ADMINISTER THE AGREEMENT

**DISCUSSION**

The State Water Resources Control Board (State Water Board) adopted regulations for the Environmental Laboratory Accreditation Program (ELAP) on May 5, 2020. The regulations specify that accredited laboratories using sophisticated instrumentation or technologies must use a Third-Party Assessment (TPA) firm to conduct routine biennial on-site assessments. The regulation allows laboratories without sophisticated instrumentation or technologies to do so if they choose. The State Water Board further directed ELAP to establish terms and conditions TPA firms must adhere to in order to provide services to California laboratories.

A proposed Memorandum of Understanding (MOU) has been developed with stakeholder input to establish oversight of the TPA firms. The MOU specifies the minimum qualifications TPAs must meet, the services they must provide, and the processes to which they must adhere.

**POLICY ISSUES**

Should the State Water Board:

1. Approve the proposed Memorandum of Understanding?
2. Delegate authority to the Deputy Director of the Division of Drinking Water and the Chief of the Environmental Laboratory Accreditation Program to administer the Memorandum of Understanding for Third-Party Assessors?

**FISCAL IMPACT**

None.

**REGIONAL BOARD IMPACT**

None.

## **HUMAN RIGHT TO WATER ANALYSIS**

The proposed actions are consistent with Resolution No. 2016-0010, in which the State Water Board adopted the human right to water as a core value and top priority. As directed by the State Water Board, DDW staff have determined that the proposed actions support the human right to water by putting in place a Memorandum of Understanding with TPAs, who will be able to conduct onsite assessments of laboratories to ensure their competency to conduct analysis of environmental samples, helping to ensure state regulators are receiving accurate and reliable data for decisions related to protection of public health and the environment.

## **STAFF RECOMMENDATION**

DDW staff recommend adoption of the proposed resolution.